

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KENEXA BRASSRING, INC.,

Plaintiff,

v.

TALEO CORPORATION,

Defendant.

Civil Action No. 07-521-SLR
(CONSOLIDATED)

KENEXA BRASSRING, INC.,

Plaintiff,

v.

VURV TECHNOLOGY, INC.,

Defendant.

Civil Action No. 08-276 (SLR)

[PROPOSED] CONSENT JUDGMENT AND DISMISSAL

THIS MATTER comes before the Court upon a stipulation of the parties – Plaintiff Kenexa BrassRing, Inc. (“Kenexa”) and Defendants Taleo Corporation (“Taleo”) and Vurv Technology, Inc. (“Vurv”) – requesting that a final judgment, as to the matters set forth below, be entered as follows.

WHEREAS, the parties have denied various of each others’ allegations in this matter, but believe it is in their best interests to finally resolve the above-captioned case and have reached such a resolution, a part of which is the entry of a Consent Judgment and Dismissal. The terms

of such resolution are the subject of a confidential settlement agreement between the parties and Kenexa will have no recovery from this judgment other than as set forth in the parties' confidential settlement agreement.

THIS COURT ADJUDGES AND DECREES AS FOLLOWS:

1. This action arises under the patent laws of the United States, Title 35 of the United States Code.
2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1338(a).
3. Venue in this Court is proper.
4. Plaintiff Kenexa has standing to assert rights in U.S. Patent No. 5,999,939 ("the '939 patent") and U.S. Patent No. 6,996,561 ("the '561 patent") against each of Defendants Taleo and Vurv, and has asserted all claims (1-20) of the '939 patent and all claims (1-36) of the '561 patent.
5. Defendants have not sustained their burden of proving the invalidity of any of the asserted claims (1-20) of the '939 patent.
6. Defendants have not sustained their burden of proving the invalidity of any of the asserted claims (1-36) of the '561 patent.
7. Any remaining claims or counterclaims of the parties are dismissed with prejudice.
8. The parties waive their right to an appeal or otherwise contest this Consent Judgment and Dismissal.
9. Each party will bear its own fees and costs (statutory and otherwise).

CONSENTED TO:

KENEXA BRASSRING, INC.

/s/ Laura D. Hatcher

Frederick L. Cottrell, III (#2555)
Steven J. Fineman (#4025)
Laura D. Hatcher (#5098)
RICHARDS, LAYTON & FINGER
One Rodney Square
920 N. King Street
Wilmington, DE 19899
(302) 651-7700
cottrell@rlf.com
fineman@rlf.com
hatcher@rlf.com

Attorneys for Plaintiff

TALEO CORPORATION

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
tgrimm@mnat.com

Attorneys for Defendant Taleo Corporation

VURV TECHNOLOGY, INC.

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
tgrimm@mnat.com

Attorneys for Defendant Vurv Technology, Inc.

IT IS SO ORDERED AND DECREED THIS 21st day of July, 2011


UNITED STATES DISTRICT JUDGE